

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOE HARRELL,

Plaintiff,

Case No. 09-CV-10132

v.

Paul D. Borman  
United States District Judge

Mona K. Majzoub  
United States Magistrate Judge

JENKINS, et al.,

Defendants.

OPINION AND ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION AND DISMISSING THE ACTION AGAINST  
DEFENDANT DONNA SPERRY WITHOUT PREJUDICE

Before the Court is Magistrate Judge Mona K. Majzoub's Report and Recommendation dismissing Defendant Donna Sperry without prejudice pursuant to Federal Rule of Civil Procedure 4(m). (Dkt. No. 41.) Having reviewed that Report and Recommendation, and there being no timely objections from either party under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court ADOPTS the Magistrate Judge's Report and Recommendation and DISMISSES the action against Donna Sperry without prejudice.

**IT IS SO ORDERED.**

S/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: September 10, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on September 10, 2010.

S/Denise Goodine

Case Manager